

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:110
CHAPTER: Program Services		AUTHORITY: KRS Chapter 439: KRS 15A.0652, 640.120.
SUBJECT: Youthful Offender Parole		
POLICY NUMBER: DJJ 351		
TOTAL PAGES: 3		
EFFECTIVE DATE: 1/04/2016		
APPROVAL: Bob D. Hayter		, COMMISSIONER

I. POLICY

Pursuant to Kentucky Revised (KRS) 640.080(1), youthful offenders (YOs) shall be subject to the jurisdiction of the Kentucky Parole Board.

II. APPLICABILITY

This policy shall apply to YOs in Department of Juvenile Justice (DJJ) residential placement.

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

- A. The authority for parole shall rest with the Kentucky Parole Board. The Parole Board shall hold parole hearings at scheduled times. When a case is eligible for parole consideration, the case shall be reviewed by the Parole Board and, if paroled, the release shall be conditional upon the youth securing the approved parole planning investigation request documentation.
- B. Sixty-five (65) days prior to the parole eligibility date, the Superintendent or designee shall forward one (1) copy of the youth's Pre-Parole Progress Report, most recent psychological evaluation and disciplinary incident reports to the Offender Information Administrator for inclusion in the central office file.
- C. The central office file shall be forwarded by the Central Office Records Administrator or designee to the Parole Board thirty (30) days prior to the parole eligibility month. The Parole Board shall notify the facility of the parole hearing date and time.

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- D. The parole hearing may take place via teleconferencing. If this is not possible at the placed facility, arrangements shall be made by facility staff with an alternate facility.
- E. Facility staff shall maintain custody and control of the youth during the hearing. Staff shall have the facility file present at the hearing.
- F. The parole board hearing shall be open to the public. Persons shall be able to provide comment consistent with KRS 439.340(6) and (7).
- G. If the Parole Board recommends parole, the facility Treatment Director or designee shall complete the parole planning investigation request documentation.
- H. The parole planning investigation request documentation, the Pre-Sentence Investigation Report, Pre-Parole Progress Report and resident record card shall be forwarded by the Superintendent or designee to the Department of Corrections (DOC) Probation and Parole Officer in the county in which the youth will reside within seven (7) business days of the Parole Board's recommendation for parole.
- I. The Division of Probation and Parole shall have responsibility to investigate the youth's parole planning investigation request and report the findings to the Parole Board.
- J. If the family or placement resource is out-of-state, it shall be the responsibility of the Division of Probation and Parole to initiate a request for out-of-state placement through Interstate Compact.
- K. If the parole planning investigation request is approved, the Parole Board shall issue a parole certificate. The youth shall not be discharged without a parole certificate.
- L. The following steps shall be taken by the Superintendent or designee upon receipt of the parole certificate:
 - 1. Sign and date all four (4) copies of the certificate. The date on the certificate shall be the date the youth is released. A copy of the certificate shall be given to the juvenile services worker (JSW);
 - 2. The parole conditions of supervision shall be signed and dated by the youth and a witness. A copy shall be given to the youth, JSW, one (1) copy placed in the facility file, and the original shall be sent to the Parole Officer; and
 - 3. Inform the youth to report directly to the Parole Officer upon release.
- M. Once a Parole Certificate has been issued, the Youthful Offender shall be released from custody to the direct supervision of the Division of Probation and Parole. The residential Facility Counselor and the Juvenile Service Worker shall be responsible for facilitating transportation for return of the youth to the community.

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- N. The Juvenile Service Worker and the Facility Counselor shall document transfer of supervision to the Division of Probation and Parole and process the file for closure. The facility Notice of Discharge shall be forwarded by the Superintendent or designee to the following individuals:
1. The judge of the circuit court in the jurisdictions of commitment and to which the youth is released or if the name of the judge is not known, notice shall be forwarded to the circuit court;
 2. The commonwealth attorney in the jurisdiction to which the youth is released;
 3. The county attorney in the jurisdiction to which the youth is released;
 4. A faxed copy to the sheriff of the county to which the youth is released (fax copy). Written copy shall be forwarded within twenty-four (24) hours;
 5. A faxed copy to the chief of police in the city or county to which youth is released (fax copy). Written copy shall be forwarded within twenty-four (24) hours;
 6. A faxed copy to the state police in the district to which the youth is released. Written copy is to be forwarded within twenty-four (24) hours;
 7. The probation and parole offices in the jurisdictions of commitment and to which the youth is released.
 8. The youth's attorney; and
 9. The JSW.
- O. If a warrant is issued by the Parole Board, for the return of a youth under the age of eighteen (18) to placement, the YO shall remain in custody of the local juvenile detention center until the Parole Officer is notified by the Classification Branch or the Parole Board of the specific date the YO shall be returned to DJJ custody to reenter residential placement or be transferred to DOC if over eighteen (18) years of age.

V. MONITORING MECHANISM

- A. The FRA or Regional Division Director and the Classification Branch Manager shall monitor this activity.
- B. The Offender Information Administrator shall monitor changes in parole procedure from DOC and shall notify the FRA of needed updates to training.